

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 04-10153-RWZ
)
 MANUEL NOVOA BAIRES)

JOINT MEMORANDUM PURSUANT TO LOCAL RULE 116.5(C)

The United States of America and defendant submit this joint memorandum addressing the issues set forth in Local Rule 116.5(C)(1) through (9).

(C)(1)

There are no discovery issues not yet presented to the Court.

(C)(2)

The parties do not anticipate providing additional discovery.

(C)(3)

Defendant does not intend to raise issues of insanity or public authority.

(C)(4)

The ^{defendant}government will not assert an alibi defense.

(C)(5)

Defendant does not intend to file a motion to sever, dismiss or suppress.

(C)(6)

No schedule should be set for motions.

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(C) (7)

The parties have discussed the possibility of an early resolution of the case without a trial.

(C) (8)

The parties submit that the additional time from today to the date of the District Court's initial status conference should be excluded.

(C) (9)

The government estimates that trial would take four days.

MICHAEL SULLIVAN
United States Attorney

MANUEL NOVOA BAIRES
By his attorney,

By: David Tobin
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